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| PROB 12C (Rev. 08/18) | VIOLATION REPORT PART 1: PETITION FOR SUMMONS | | | U. S. Probation Office Eastern District of Michigan | PACTS 36494 | DATE 10/18/2021 |
| NAME KUMAR, Deepak | | OFFICER Daniel Ziehmer | | JUDGE Robert H. Cleland | DOCKET # 11-CR-20551-15 | |
| ORIGINAL SENTENCE DATE 03/10/2016 | SUPERVISION TYPE Supervised Release | CRIMINAL HISTORY CATEGORY I | TOTAL OFFENSE LEVEL 23 | PHOTO |  | |
| COMMENCED 11/09/2018 | | | | | | |
| EXPIRATION 11/08/2021 | | | | | | |
| ASST. U.S. ATTORNEY Terrence Haugabook | | DEFENSE ATTORNEY To be determined | | | | |
| REPORT PURPOSE TO ISSUE A SUMMONS | | | | | | |
| ORIGINAL OFFENSE Count 2: 18 U.S.C. §§ 1347 and 1349, Health Care Fraud Conspiracy | | | | | | |
| SENTENCE DISPOSITION Custody of the Bureau of Prisons for a term of 34 months, to be followed by a three-year term of supervised release. | | | | | | |
| ORIGINAL SPECIAL CONDITIONS | | | | | | |
| <ol style="list-style-type: none"> The defendant shall make monthly payments on any remaining balance of the restitution, special assessment at a rate and schedule recommended by the probation department and approved by the Court. The defendant shall not incur any new credit charges or open additional lines of credit without the approval of the probation officer. The defendant shall provide the probation officer access to any requested financial information. The defendant shall participate in a program approved by the probation department for mental health counseling. If necessary. The defendant shall participate in a program approved by the probation department for substance abuse, which program may include testing to determine if the defendant has reverted to the use of drugs or alcohol. If necessary. The defendant shall take all medications as prescribed by a physician whose care he is under, including a psychiatrist, in the dosages and at the time proposed. If the defendant is prescribed a medication he shall take it, and the defendant shall not discontinue medications against medical advice. | | | | | | |
| Criminal Monetary Penalties: Special Assessment \$100.00 (paid); restitution \$2,235,557.00 (balance \$2,226,585.01) joint and several | | | | | | |

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The probation officer believes that the offender has violated the following conditions of Supervised Release:

| VIOLATION NUMBER | NATURE OF NONCOMPLIANCE |
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| 1 | <p><u>Violation of Standard Condition No 2: ‘THE DEFENDANT SHALL REPORT TO THE PROBATION OFFICER AND SHALL SUBMIT A TRUTHFUL AND COMPLETE WRITTEN REPORT WITHIN THE FIRST FIVE DAYS OF EACH MONTH.’</u></p> <p>KUMAR provided the probation officer with 12 monthly reports in 2019, none of which revealed any expenditures for credit cards or loans (aside from his monthly mortgage payment), nor did he list any expenditures on a monthly basis of over \$500.00.</p> <p>On October 6, 2021, the United States Attorney’s Office (USAO) Financial Litigation Unit’s (FLU) provided the probation officer with a summary of an investigation which conflicted with the monthly reports provided by KUMAR. Specifically, their investigation revealed that:</p> <p><i>“KUMAR provides 12 months of American Express Statements, showing he has made payments totaling \$30,140.10 from Jan 2019-Dec 2019.”</i></p> |

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| 2 | <p><u>Violation of Standard Condition No 3: “THE DEFENDANT SHALL ANSWER TRUTHFULLY ALL INQUIRIES BY THE PROBATION OFFICER AND FOLLOW THE INSTRUCTIONS OF THE PROBATION OFFICER”</u></p> <p>On November 9, 2018, the probation officer initially met with KUMAR and reviewed financial documents he prepared as part of the United States Probation Department’s initial financial investigation to determine an appropriate payment arrangement to resolve his criminal debt.</p> <p>At that time, KUMAR denied the existence of any “asset transferred or sold since your arrest with a cost or fair market value of more than \$1,000.00 or asset that someone else is holding on your behalf.”</p> <p>KUMAR also represented in this document that his combined household income, including his spouse’s (Seema Kumar), was approximately \$2,900.00.</p> <p>On February 19, 2020, the probation officer conducted a home visit and met with KUMAR. During the course of this interaction, the probation officer inquired about KUMAR’s financial situation, specifically in regard to repayment of his criminal financial debt. Specifically, KUMAR indicated that his approximate income at that time was \$1,600.00 monthly. He also reported that his wife was employed. He denied any undisclosed income or ownership of any property besides his residence. He denied the existence of any bank accounts with amount of money that could not be explained by his normal income. He also reported at that time that he was compliant with the United States Attorney’s Office (USAO) Financial Litigation Unit’s (FLU) requests for his financial information for a pending debtor’s exam.</p> |
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On October 6, 2021, USAO FLU provided the probation officer with a summary of an investigation which conflicted with the information provided by KUMAR. Specifically, their investigation revealed that:

"Seema Kumar's bank accounts show that in 2019, Seema Kumar received a total of \$235,519 into her personal bank accounts and \$474,468 into her business account for a combined total of \$709,987. Of the \$709,987 in deposits, only \$6,000 were from HD Express Trucking, her purported employer. She also receives \$520 a month from the State of Michigan. This was income was also undisclosed."

KUMAR failed to disclose to the probation officer at any point during his supervision that his household income has dramatically changed as evidenced in the summary submitted by the USAO FLU.

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| I declare under penalty of perjury that the foregoing is true and correct. PROBATION OFFICER s/Daniel Ziehmer/djl 313-234-5422 | DISTRIBUTION Court |
| SUPERVISING PROBATION OFFICER s/Steven M. Ely 313-234-5583 | PROBATION ROUTING Data Entry |

THE COURT ORDERS:

The issuance of a summons
 Other

s/Robert H. Cleland
United States District Judge

10/26/2021
Date